

MESSAGE NO: 4189203 MESSAGE DATE: 07/07/2004

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 4051203
MESSAGE #
(s):

CASE #(s): A-570-868

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/03/2001 TO 05/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR FOLDING METAL TABLES AND CHAIRS FROM
THE PEOPLE'S REPUBLIC OF CHINA (A-570-868)

MESSAGE NO: 4189203

DATE: 07 07 2004

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 4051203

REFERENCE DATE: 02 20 2004

CASES: A - 570 - 868

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PERIOD COVERED: 12 03 2001 TO 05 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR FOLDING METAL TABLES
AND CHAIRS FROM THE PEOPLE'S REPUBLIC OF CHINA
(A-570-868)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY
CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING
FINDINGS/DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED
IN ACCORDANCE WITH SECTION 351.213(B) OF THE COMMERCE
DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST
FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY
FINDING/ORDER FOR THE PERIODS AND ON THE MERCHANDISE

LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

MERCHANDISE: FOLDING METAL TABLES AND CHAIRS FROM THE PEOPLE'S REPUBLIC OF CHINA

CASE NUMBER: A-570-868

PERIOD: 12/03/2001 - 05/31/2003

CASH DEPOSIT OR BONDING RATE: 70.71 PERCENT

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

DONGGUAN SHICHANG METALS FACTORY CO. LTD.

FEILI FURNITURE DEVELOPMENT LIMITED

FEILI GROUP (FUJIAN) CO., LTD.

NEW-TEC INTEGRATION (XIAMEN) CO., LTD.

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ANTIDUMPING REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

4. AS NOTED IN MESSAGE NUMBER 4051203 DATED FEBRUARY 20, 2004, ON FEBRUARY 13, 2004, THE U.S. COURT OF INTERNATIONAL TRADE ISSUED A PRELIMINARY INJUNCTION (COURT NO. 03-00943), EFFECTIVE AS OF 5:00 P.M. ON FEBRUARY 20, 2004, ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN FOLDING METAL TABLES AND CHAIRS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-868), MANUFACTURED OR EXPORTED BY FEILI FURNITURE DEVELOPMENT LIMITED, FEILI GROUP (FUJIAN) CO., LTD., OR NEW-TEC INTEGRATION (XIAMEN) CO.,

LTD. FOR THE PERIOD DECEMBER 3, 2001 THROUGH MAY 31, 2003.

7. ACCORDINGLY UNTIL FURTHER NOTICE, DO NOT LIQUIDATE ENTRIES OF SUBJECT MERCHANDISE WHICH WAS PRODUCED OR EXPORTED BY FEILI FURNITURE DEVELOPMENT LIMITED, FEILI GROUP (FUJIAN) CO., LTD., OR NEW-TEC INTEGRATION (XIAMEN) CO., LTD. AND WHICH WAS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION FOR THE PERIOD DECEMBER 3, 2001 THROUGH MAY 31, 2003 AND REMAIN UNLIQUIDATED AS OF 5PM ON FEBRUARY 23, 2004. CONTINUE TO SUSPEND LIQUIDATION OF OTHER UNTIL LIQUIDATION INSTRUCTIONS ARE PROVIDED. ANY ENTRIES WHICH MAY BE SET FOR LIQUIDATION NEED TO BE UNSET IMMEDIATELY.

6. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

7. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE

ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

8. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

9. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9:AL).

10. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party